

ENTERED

August 12, 2025

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FINITE UTILITY CONSULTING, LLC, §

Plaintiff, §

v. §

Civil Action No. H-23-432

TAWA INC. (RETAIL) a/k/a Tawa,
Inc.; TAWA SUPERMARKET, INC.;
TAWA RETAIL GROUP, INC.
f/k/a Welcome California
Market, Inc.; TAWA SERVICES,
INC.; WELCOME MARKET, INC.;
WELCOME SERVICES, INC.; and
WALONG MARKETING, INC. a/k/a
Walang Corporation,

Defendants. §

TAWA RETAIL GROUP, INC. f/k/a §
Welcome California Market, Inc., §

Counter-Plaintiff, §

v. §

FINITE UTILITY CONSULTING, LLC, §

Counter-Defendant. §

ORDER ADOPTING RECOMMENDATION OF THE MAGISTRATE JUDGE

Pending is Plaintiff/Counter-Defendant Finite Utility Consulting, LLC's Amended Motion for Summary Judgment (Document No. 136) on Defendant/Counter-Plaintiff Tawa Retail Group, Inc.'s First Amended Counterclaim (Document No. 45), to which Amended Motion for Summary Judgment Defendant/Counter-Plaintiff Tawa

Retail Group, Inc., filed its Response in opposition (Document No. 138), and Plaintiff/Counter-Defendant Finite Utility Consulting, LLC filed a reply (Document No. 139). The Magistrate Judge in a Memorandum and Recommendation (Document No. 146) recommends that Finite Utility Consulting Inc.'s Motion for Summary Judgment be granted and that Defendant/Counter-Plaintiff Tawa Retail Group, Inc. f/k/a Welcome California Market, Inc.'s counterclaims be DISMISSED WITH PREJUDICE. Counterclaimant Tawa Retail Group, Inc. f/k/a Welcome California Market, Inc. timely filed Objections (Document No. 147) to the Magistrate Judge's Memorandum and Recommendation and Counter-Defendant Finite Utility Consulting, LLC filed a Response (Document No. 150) to the Objections. After carefully considering the Magistrate Judge's Memorandum and Recommendation, the Amended Motion for Summary Judgment, Tawa's Response, Finite's Reply, Tawa's Objections to the Magistrate Judge's Memorandum and Recommendation, and Finite's Response, it is

ORDERED and ADJUDGED that Defendant/Counterclaimant Tawa Retail Group, Inc. f/k/a Welcome California Market, Inc.'s Objections (Document No. 147) in all things are DENIED; and it is further

ORDERED and ADJUDGED for the reasons set forth in the Memorandum and Recommendation of the United States Magistrate Judge (Document No. 146) signed and entered June 9, 2025, which is

adopted in its entirety as the Opinion of this Court, that Finite Utility Consulting Inc.'s Motion for Summary Judgment is GRANTED and Defendant/Counter-Plaintiff Tawa Retail Group f/k/a Welcome California Market, Inc.'s counterclaims are DISMISSED ON THE MERITS WITH PREJUDICE.

The Clerk will enter this Order, providing a correct copy to all counsel of record.

SIGNED at Houston, Texas, on this 12 TH day of August, 2025.


Ewing Werlein, Jr.
UNITED STATES DISTRICT JUDGE